

Liability for Asbestos-Related Injuries

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Liability for Asbestos-Related Injuries

Faro Sobczak

Stellingen - Propositions

1. Applying proportional liability is the *least unreasonable* approach to compensating claimants who suffer from lung cancer as a potential consequence of (wrongful) asbestos exposure. [this thesis]
2. “In a shrinking world there must be some virtue in uniformity of outcome whatever the diversity of approach in reaching that outcome.” [Lord Bingham of Cornhill, 2002] [this thesis]
3. Courts should not refuse to take epidemiological expert evidence into consideration in claims for asbestos-related diseases: it is less arbitrary to use such findings than not to use epidemiological expert evidence to establish the liability of the defendant. [this thesis]
4. The English jurisdiction is, when compared to the Dutch jurisdiction, more reluctant to deviate from traditional legal principles in claims for asbestos-related diseases. [this thesis]
5. “Tort law *is* and *should be* about compensating those who are wrongfully injured.” [Lord Bingham of Cornhill, 2002]
6. Health law can be seen as the playground for general Tort law.
7. Although the *condicio sine qua non* (but-for) test always calls for an answer to a hypothetical situation and does insert a certain element of speculation, it must be regarded as a workable approach to establish causation in most situations.
8. Cross-disciplinary discussion does not necessarily lead to miscommunication.
9. De conclusies in een proefschrift zijn te vergelijken met het nivelleren van inkomens: je treft altijd voor- en tegenstanders.
10. Promoveren in de winterperiode geeft in ieder geval één zekerheid: het feest wordt binnen gevierd.